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## PRESIDENT'S MESSAGE PRESENTED TO CONGRESS; MANY RECOMMENDATIONS

(Continued From Page One.)

the statute books in restraining the abuses which certainly did exist and which roused the public to demand reform.

If this test develops a need for further legislation, well and good, but until then let us execute what we have. Due to the reform movements of the present decade, there has undoubtedly been a great improvement in business methods and standards. The great body of business men of this country, those who are responsible for its commercial development, now have an earnest desire to obey the law and to square their conduct of business to its requirements and limitations. These will doubtless be made clearer by the decisions of the supreme court in cases pending before it.

**General Policy.** I believe it to be in the interest of all the people of the country that for the time being the activities of government in addition to enforcing the existing law, be directed toward the economy of administration and the enlargement of opportunities for foreign trade, the conservation and improvement of our agricultural lands, the building up of home industries, and the strengthening of confidence of capital in domestic investment.

Other matters of general interest are touched upon as follows:

**Arbitration.** During the past year the foreign relations of the United States have continued upon a basis of friendship and good understanding. The year has been notable as witnessing the peaceful settlement of two important international controversies before the permanent peace court at The Hague. The arbitration of the fisheries dispute between the United States and Great Britain, which has been the source of nearly continuous diplomatic correspondence since the fisheries convention in 1818, has given an award which is satisfactory to both parties, and disposes of a controversy the settlement of which has resisted every other resource of diplomacy, and which for nearly 90 years has been the cause of friction.

The tribunal constituted at The Hague by the governments of the United States and Venezuela has rendered an award in the case of the Orinoco Steamship company against Venezuela.

**The Far East.** The center of interest in far eastern affairs during the past year has been China. The policy of this government has been directed by a desire to make the use of American capital in the development of China an instrument in the promotion of China's welfare and material prosperity without prejudice to her legitimate rights as an independent political power.

The policy has recently found further exemplification in the assistance given by this government to the negotiations between Chile and a group of American bankers for a loan of \$50,000,000 to be employed chiefly in currency reform. The United States in its treaty of 1903 with China obtained a pledge from the latter to introduce a uniform national coinage.

For the success of this loan and the contemplated reforms which are of the greatest importance to the commercial interests of the United States and the civilized world at large, it is realized that an expert will be necessary, and this government has received assurances from China that such an adviser, who shall be an American, will be engaged.

**Mexican Independence.** The congressional commission appointed under a concurrent resolution to attend the festivities celebrating the centennial anniversary of Mexican independence, together with a special ambassador, were received with the highest honors and with the greatest

cordiality, and returned with the report of the bounteous hospitality and warm reception of president Diaz and the Mexican people, which left no doubt of the desire of the immediately neighboring republic to continue the mutually beneficial and intimate relations which I feel sure the two governments will ever cherish.

**Averted War.** I am glad to say that the action of the United States in its desire to remove imminent danger of war between Peru and Ecuador growing out of a boundary dispute, with the cooperation of Brazil and the Argentine republic as joint mediators with this government, has already resulted successfully in preventing war.

**El Paso Boundary.** There has been signed by the representatives of the United States and Mexico a protocol submitting to the United States-Mexico boundary commission (whose membership for the purpose of this case is to be increased by the addition of a citizen of Canada) the question of sovereignty over the Chamizal tract which lies within the present physical boundaries of the city of El Paso, Texas. The determination of this question will remove a source of no little annoyance to the two governments.

**Intervention in Nicaragua.** During the past year the republic of Nicaragua has been the scene of internecine struggle. General Zelaya, for 17 years the absolute ruler of Nicaragua, was throughout his career the champion of Central American and opposed every plan for the promotion of peace and friendly relations between the five republics. When the people of Nicaragua were finally driven into exile by his lawless exactions, he violated the laws of war by the unauthorized execution of two American citizens who had regularly enlisted in the ranks of the revolutionists. This and other offenses made it the duty of the United States to take measures with a view to ultimate reparation and for the safeguarding of its interests.

This involved the breaking off of all diplomatic relations with the Zelaya government. American forces were sent to both coasts of Nicaragua to be in readiness should occasion arise to protect Americans and their interests and remained there until the war was over and peace had returned to that unfortunate country. These events, together with Zelaya's continued exactions, brought him so clearly to the bar of public opinion that he was forced to resign and to take refuge abroad.

**Tariff Negotiations.** The new tariff law, in section 2, respecting the maximum and minimum tariffs of the United States, which provisions came into effect on April 1, 1910, imposed upon the president the responsibility of determining whether any undue discrimination existed against the United States and its products in any country. In the case of several countries instances of apparent undue discrimination against American commerce were found to exist. These discriminations were removed by negotiation. The minimum tariff of the United States has been given universal application, thus testifying to the satisfactory character of our trade relations with foreign countries.

**No Need to Apply It Yet.** Marked advantages to the commerce of the United States were obtained through these tariff settlements. Foreign nations are fully cognizant of the fact that under section 2 of the tariff act the president is required, whenever he is satisfied that the treatment accorded by them to the products of the United States is not such as to entitle them to the benefits of the minimum tariff of the United States, to withdraw these benefits by proclamation, giving 90 days' notice, after which the maximum tariff will apply to their dutiable products entering the United States. In its general operation this section of the tariff law has thus far proved a guaranty of continued commercial peace.

**Merchant Marine.** Quite aside from the commercial aspect, unless we create a merchant marine, where can we find the seafaring population necessary as a natural naval reserve and where could we find, in case of war, the transports and subsidiary vessels without which a naval fleet is arms without a body? For many reasons I cannot too strongly urge upon the congress the passage of a measure by mail subsidy of other subvention adequate to guarantee the establishment and rapid development of an American merchant marine, the restoration of

the American flag to its ancient place upon the seas.

**Mobs and Aliens.** With our increasing international intercourse it becomes incumbent upon me to repeat more emphatically than ever the recommendation which I made in my inaugural address, that congress shall at once give to the courts of the United States jurisdiction to punish as a crime the violation of the rights of aliens secured by treaty with the United States, in order that the general government of the United States shall be able, when called upon by friendly nation, to redeem its solemn promise by treaty to secure to the citizens or subjects of that nation resident in the United States, freedom from violence and due process of law in respect to their life, liberty and property.

**Estimates for Next Year.** Every effort has been made by each department chief to reduce the estimated cost of his department for the ensuing fiscal year ending June 30, 1912. I say this in order that congress may understand that a cut of these estimates would result in embarrassing the executive branch of the government in the performance of its duties.

The final estimates for the year ending June 30, 1912, as they have been sent to the treasury, on November 23, of this year, for the ordinary expenses of the government, including those for public buildings, rivers and harbors, and the navy building program, amount to \$620,494,013.12. This is \$52,964,887.26 less than the appropriations for the fiscal year ending June 30, 1911.

**Panama Canal.** These figures do not include the appropriations for the Panama canal, the policy in respect to which ought to be and is, to spend as much each year as can be economically and effectively expended in order that the canal may be promptly as possible, and, therefore, the ordinary motive for cutting down the expense of the government does not apply to appropriations for this purpose. The estimates for 1912 include over \$12,000,000 for the fortification of the canal.

Against the estimates of expenditures, \$630,494,013.12, we have estimated receipts for next year \$588,000,000, making a probable surplus of ordinary receipts over ordinary expenditures of about \$50,000,000, or, taking into account the estimates for the Panama canal, which are \$56,820,847.69, and which will ultimately be paid in bonds, it will leave a deficit for the next year of about \$7,000,000, if congress shall conclude to fortify the canal. The cost of the fortifications is about \$19,000,000.

**Revenues and Taxes.** As an income-producing measure, the existing tariff bill has never been exceeded by any customs bill in the history of the country.

The corporation excise tax, proportionately to the number of every business corporation in the country, has worked well. The tax has been easily collected. Its prompt payment indicates that the incidence of the tax has not been heavy. It offers, moreover, an opportunity for knowledge by the government of the general condition and business of all corporations, and that means by far the most important part of the business of the country.

**The Payne Tariff Act.** The schedules of the rates of duty in the Payne tariff act have been subjected to a great deal of criticism, some of it just, more of it unfounded, and to much misrepresentation. The act was adopted in pursuance of a declaration by the party which is responsible for it that a customs bill should be a tariff or the protection of home industries, the measure of the protection to be the difference between the cost of producing the article abroad and the cost of producing it at home, together with such addition to that difference as might give a reasonable profit to the home producer.

**Tariff Board.** The time in which the tariff was prepared undoubtedly was so short as to make it impossible for the congress and its experts to acquire the information necessary to acquire the conformity to the declared measure. In order to avoid criticism of this kind in the future and for the purpose of more nearly conforming to the party promise, congress in its last session authorized the necessary board created under the authority of the maximum and minimum clause of the tariff bill.

The hope of those who have advocated the use of this board for tariff purposes is that the question of the rate of duty imposed shall become more of a business question and less of a political question, to be ascertained by experts of long training and accurate knowledge.

The halt in business and the shock to business, due to the announcement that a new tariff bill is to be prepared and put in operation, will be avoided by treating the schedule one by one as occasion shall arise for a change in the rates of each, and only after a report upon the schedule by the tariff board competent to make such recommendation. The tariff board, of course, involves the full cooperation of congress in limiting the consideration in tariff matters to one schedule at a time. I can not too much emphasize the importance and benefit of the above proposed for the treatment of the tariff.

**Permanent Tariff Commission.** Each foreign government maintains an office or bureau, the officers and employees of which make their life work the study of tariff matters, of foreign and home prices and cost of articles imported, and the effect of the tariff upon trade, so that whenever a change is required in the tariff, the tariff law this office is the source of the most reliable information as to the propriety of the change and its effect. I am strongly convinced that we need in this country, for the justifying of our tariff, just such an office, and that it can be secured by making the tariff board already appointed a permanent tariff commission.

**Mobilization of Troops.** I recommend that congress establish a commission to determine as early as practicable a comprehensive policy for the organization, mobilization and administration of the regular army, the organized militia, and the volunteer forces in the event of war.

**Fortifications.** I have directed that the estimates for appropriation for the improvement of coast defenses in the United States should be reduced to the minimum, while those for the completion of the needed fortifications at Corregidor, in the Philippine Islands, and at Pearl Harbor, in the Hawaiian Islands should be expedited as much as possible.

This fortification in the Philippine Islands are to be largely confined to Corregidor Island and the adjacent islands which command entrance to Manila Bay and which are being rendered impregnable from land and sea attack. The Pacific naval base has been transferred to Pearl Harbor in the Hawaiian Islands. This necessitates the heavy fortification of the harbor and the establishment of an important military station near Honolulu. I urge that all the estimates made by the war department for these purposes be approved by congressional appropriation.

**Panama Vessels.** I suggest as a wise amendment to the interstate commerce law a provision prohibiting interstate commerce by railroads from owning or controlling ships engaged in trade made through the Panama canal. I believe such a provision may be needed to save to the people of the United States the benefits of the competition in trade between the eastern and western seaboard, while this canal was constructed to secure.

**National Incorporation.** In a special message last year I brought to the attention of congress the propriety and wisdom of enacting a law providing for the incorporation of industrial and other companies engaged in interstate commerce, and I renew my recommendation in that behalf.

**Superior Judicial Procedure.** One great crying need in the United States is cheapening the cost of litigation by simplifying judicial procedure and expediting final judgment. Under present conditions the poor man is at a wonderful disadvantage in a legal contest with a corporation or a rich opponent. The necessity for the reform exists both in United States courts and in all state courts. The equity business is much the most important in the federal courts, and I may add much the more expensive. I am strongly convinced that the best method of improving judicial procedure at law is to empower the supreme court to do it through the medium of the rules of the court, as in equity. This is the way in which it has been done in England, and thoroughly done. The simplicity and expedition of procedure in the English courts is much to be desired in the federal courts of this country. I can not conceive any higher duty than the supreme court could perform than in leading the way to a simplification of procedure in the United States courts.

**Relief of Supreme Court.** No man ought to have, as a matter of right, a review of his case by the supreme court. He should be satisfied by one hearing before a court of first instance, and one review by the court of appeals. The supreme court is now carrying an unnecessary burden of appeals, and I earnestly urge that it be removed.

The American Bar association has had before it the question of reducing the burden of litigation involved in appeals on review and new trials or rehearings and in frivolous appeals in habeas corpus and criminal cases. Their recommendation has been to abolish all such appeals pending in congress. The recommendations are not radical, but they will accomplish much if adopted into law, and I earnestly recommend the passage of the bills embodying them.

**Injunction Bill.** I wish to renew my urgent recommendation made in my last annual message in favor of the passage of a law which shall restrict the use of injunctions in equity without notice in accordance with the best practice now in vogue in the courts of the United States. I regard this of especial importance, first because it has been promulgated by the supreme court, and it will deprive those who now complain of certain alleged abuses, in the improper issuing of injunctions without notice, of any real ground for further amendment and will take away all semblance of support for the extremely radical legislation they propose, which will be most pernicious if adopted, will sap the foundations of judicial power, and legalize that cruel social instrument, the second-class boycott.

**Judicial Salaries.** I further recommend to congress the passage of the bill now pending for the increase in the salaries of the federal judges, by which the salary of the supreme court shall receive \$17,500 and the associate justices \$17,000; the circuit judges constituting the circuit court of appeals shall receive \$10,000, and the district judges \$9,000. It is a necessary economy for the government to pay salaries so low for judicial service as not to be able to command the best talent of the legal profession in every part of the country.

Nothing is so important to the preservation of our country and its beloved institutions as the maintenance of the independence of the judiciary, and next to this the secure and adequate salary is the most material contribution to the maintenance of independence on the part of our judges.

**Wiping Out of Postal Deficit.** The personal efforts of the postmaster general secured the effective completion of the thousands of postmasters and other postal officers throughout the country in carrying out his plans of reorganization and retrenchment. Under his able leadership the postmaster general has been able to make his estimate of expenses for the present year follow as to keep within the amount the postal service is expected to earn. It is gratifying to report that the reduction in the deficit has been accomplished without any curtailment of postal facilities. On the contrary, the service has been greatly extended during the year in all its branches. A principle which the postmaster general has recommended and sought to have embodied in respect to all appointments has been that these appointments who have rendered good service should be reappointed.

**Extension of the Classified Service.** Under the recommendation of the postmaster general, I have included in the classified service all assistant postmasters, and I believe that this giving a secure tenure to those who are the most important and just such postmasters will add much to the efficiency of their offices, and an economical administration. A large number of the fourth class postmasters are now in the classified service. I think it would be wise to put in the classified service the first, second and third class postmasters. I am aware that this is inviting from the senate a concession in respect to its quasi executive power which is considerable, but I believe it to be in the interest of good administration and efficiency of service. To make this change would take the postmasters out of politics; would relieve congressmen who now are burdened with the necessity of making recommendations for these places of a responsibility that must be irksome and can create nothing but trouble.

**The Franchising Privilege.** The restricted franchise which the franchising privilege is now being used by the several federal services and by congress has laid it open to serious abuses. The expense annually reaches into the millions. It is hoped that congress will authorize the substitution of



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special official stamps and stamped envelopes for the various forms of franking now used to carry revenue of postage through the vast volume of departmental and congressional mail matter.

**Parcels Post.** With respect to the parcels post, I respectfully recommend its adoption as a means of saving the cost of postage to the limit of carriage in such post.

**Peary.** The complete success of our country in arctic exploration has been a source of pride and honor to the nation. The unparalleled achievement of Peary in reaching the North Pole, April 6, 1909, approved by critical examination of the most expert scientists, has added to the distinction of our navy, to which he belongs, and reflects credit upon this country.

**Appeals in Land Cases.** The secretary of the interior recommends a change of the procedure in adjudicating claims for lands, by which appeals can be taken from the decisions of the department to the court of appeals of the District of Columbia for a judicial consideration of the rights of the claimant.

**Reclamation.** The total sum already accumulated in the fund provided by the act for the reclamation of arid lands is about \$60,000,000. Of this, \$24,105,888 has been allotted to the various projects, of which there are 30. I appointed a board of army engineers to examine the projects and to ascertain which are feasible and worthy of completion. That board has made a report upon the subject, which I shall transmit in a separate message within a few days.

We have, excluding Alaska forests, a total of about 144,000,000 acres of land belonging to the government which are being treated in accord with the principles of scientific forestry. The law now prohibits the reservation of any more forest lands in Oregon, Washington, Idaho, Montana, Colorado, Wyoming, except by act of congress. Congress ought to trust the executive to use the power of reservation only with respect to land most valuable for forest purposes. During the present administration, 6,250,000 acres of land, largely non-timbered, have been excluded from forest reserves, and 3,500,000 acres of land, principally valuable for forest purposes, have been included in forest reserves, making a total in forest reserves of non-timbered land amounting to 2,750,000 acres. The bureau of forestry since its creation has initiated reforestation on about 15,000 acres.

About \$25,000,000 worth of timber in the national forests was destroyed during the last summer by forest fires.

**Coal Lands.** The next subject, and one most important for our consideration, is the disposition of the coal lands of the United States and in Alaska. First, as to those in the United States: 79,903,229 acres remain withdrawn from entry and await classification, and classified coal lands cover 10,429,372 acres, valued at \$508,000,000.

**The Leasing System.** Authorities of the geological survey estimate that in the United States today there is a supply of about 3000 billions of tons of coal, and that of this 1900 billions are in the public domain. It has been urged that the leasing system has never been adopted in this country, and that its adoption would largely interfere with the investment of capital and the proper development and opening up of the coal resources. I venture to differ from this view. My investigations show that many owners of mining property of this country do not mine themselves, and do not invest their money in the plants necessary for the mining; but they lease their properties for a term of years, varying from 20 to 30 and 40 years, under conditions requiring the erection of a proper plant and the investment of a certain amount of money in the development of the mines, and fixing a rental and royalty, sometimes an absolute figure and sometimes one proportioned to the market value of the coal.

I have looked with some care into a report made at the instance of president Roosevelt upon the disposition of coal lands in Australia, Tasmania and New Zealand. These are peculiarly mining countries, and their experience

operations have since been extended to naval warfare, by the terms of the treaty of Hague. Among the last nations to recognize the beneficent purposes of the Red Cross were the Asiatics, but during the bloody Russo-Japanese struggle the Mikado's men proved to be among the best organized body of relief workers in the world. The Japanese Red Cross organization today has 1,522,000 members and in spite of the frightful inroads made upon the country's resources by the war, the annual Red Cross revenue in 1909 was \$2,000,000. Nor did they allow the strain of war to deplete the permanent fund by a single yen. This fund now exceeds \$5,000,000 and it is expected that it will be increased to \$7,500,000 by 1912.

**Conserving of Human Life.** Since the American Red Cross was reorganized in 1905, president William H. Taft has annually been elected as its chief executive. Its accounts are audited by the war department and the chairman and five members of the central committee are representatives from the departments of state, treasury, war, justice and navy.

**Three Branches.** The work of the American Red Cross is divided into three departments—war, national and international relief. The war relief board has in its possession a complete list of every coastwise vessel suitable for a hospital ship, so that it can be chartered at a moment's notice. With this list there are accurate specifications and estimates of cost for equipping these ships for hospital service. With equal thoroughness the study of civil hospitals, ambulances, private automobiles and kindred subjects is being carried on so that in time of war there will be no danger of unpreparedness in any emergency. Upon this same department devolves the responsibility of organizing courses for "first aid" instruction throughout the country, not only for war time purposes, but for fire, flood, earthquake, and similar emergencies.

The board of national relief looks after relief work following great national disasters, such as the San Francisco earthquake, the Ohio river flood and the Galveston storm. The international relief finds a helping hand to other nations in times of affliction, such as the Mt. Pelee eruption, the Messina earthquake and the famines of India and Russia.

In recent years the Red Cross has been so systematic and thorough in its distribution of supplies and money in

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times of disorder and confusion which invariably follow catastrophes that most disbursements of relief funds are now made through its representatives. Tomorrow—American Civic Association.

**SHOWS MOVE OUT AND RENT SIGNS APPEAR IN WINDOW.** Quiet again reigns along San Antonio street. The two rum-dum shows, with their burly-gurdy pianos, which have been showing in vacant rooms along the street have moved on and the rent signs are again showing in the store windows. The rush of business was not so great that the traffic was backed along San Antonio by the crowds trying to see the alleged wonders of the world.

**HAVE LITTLE SON.** A son has been born to Mr. and Mrs. W. W. Owens, 305 South Campbell street. Mr. Owens was formerly post carpenter at Fort Bliss. Mrs. Owens is the daughter of Mr. and Mrs. John Wood of Las Cruces, N. M.

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(Continued on Page Eight.)